

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

-----x  
MEISA BLAND AND CLAUDIA  
MORENO, on behalf of themselves and other  
similarly situated,

Plaintiffs,

-against-

BALFOUR BEATTY COMMUNITIES  
LLC,

Defendants.  
-----x

VIA ECF

Civil Action No.:  
5:14-CV-138

STIPULATION AND ORDER OF DISMISSAL

WHEREAS the parties in the above-referenced Fair Labor Standards Act (FLSA) matter have reached a confidential settlement in this action resolving the claims of the named Plaintiffs and all current opt-in Plaintiffs ("Plaintiffs"); and,

WHEREAS the parties agree there is a "*bona fide* dispute" with respect to Plaintiffs' entitlement under the FLSA as set forth in this Court's opinion in *Martinez v. Bohls Equip. Co.*, 361 F. Supp. 2d 608 (W.D. Tex. 2005) and affirmed by the Court of Appeals for the Fifth Circuit in *Martin v. Spring Break '83 Prods., LLC*, 688 F.3d 247 (5th Cir. 2012),

IT IS HEREBY ORDERED that: the above-captioned action be and is hereby dismissed in its entirety, with prejudice, and with no award of attorneys' fees or costs by the Court to any party except as set forth in the settlement agreement between the parties.

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By: 

Michael J. DePonte, Esq.

Dated: 8/21/14

Dated: Aug. 22, 2014

SO ORDERED on this \_\_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
United States District Judge

4823-4581-6093, v. 3